

IC 27-8-24

Chapter 24. Minimum Maternity Benefits

IC 27-8-24-1

Applicability of chapter

Sec. 1. This chapter applies to:

- (1) every policy of accident and sickness insurance (as defined in IC 27-8-5-1), whether written on an individual basis, a group basis, a franchise basis, or a blanket basis; and
- (2) every group contract (as defined in IC 27-13-1-16) or individual contract (as defined in IC 27-13-1-21) through which a health maintenance organization furnishes health care services;

that is issued, delivered, executed, or renewed in Indiana and that provides maternity benefits.

As added by P.L.194-1996, SEC.1.

IC 27-8-24-2

"At-home postdelivery care" defined

Sec. 2. As used in this chapter, "at-home postdelivery care" refers to health care provided to a woman at her residence by a physician licensed under IC 25-22.5 or a registered nurse or an advanced practice nurse licensed under IC 25-23 whose scope of practice includes providing postpartum care in the area of maternal and child health care. The health care services provided must include, at a minimum:

- (1) parent education;
- (2) assistance and training in breast or bottle feeding; and
- (3) performance of any maternal and neonatal tests routinely performed during the usual course of inpatient care for the woman or her newborn child, including the collection of an adequate sample for the hereditary and metabolic newborn screening.

As added by P.L.194-1996, SEC.1.

IC 27-8-24-3

"Maternity benefits" defined

Sec. 3. As used in this chapter, "maternity benefits" refers to the provision of health care to a woman before, during, and after delivery of a child, including physician, hospital, laboratory, and ultrasound services.

As added by P.L.194-1996, SEC.1.

IC 27-8-24-4

Postpartum hospital stay; HIV testing of newborns; payment

Sec. 4. (a) Except as provided in section 5 of this chapter, every policy or group contract that provides maternity benefits must provide minimum benefits to a mother and her newborn child that cover:

- (1) a minimum length of postpartum stay at a hospital licensed

under IC 16-21 that is consistent with the minimum postpartum hospital stay recommended by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists in their Guidelines for Perinatal Care;

(2) the examinations to the newborn child required under IC 16-41-17-2; and

(3) the testing of the newborn child required under IC 16-41-6-4.

(b) Payment to a hospital for a test required under IC 16-41-6-4 must be in an amount equal to the hospital's actual cost of performing the test.

As added by P.L.194-1996, SEC.1. Amended by P.L.91-1999, SEC.5; P.L.237-2003, SEC.17.

IC 27-8-24-5

Conditions warranting shorter period of inpatient care; at-home postdelivery care visit

Sec. 5. (a) If the patients' attending physician determines further inpatient care is not necessary for the mother or newborn child, a policy or group contract that provides maternity benefits under this chapter may provide under the policy or group contract a shorter length of postpartum hospital stay than the period under section 4 of this chapter if all the following conditions are met:

(1) in the patients' attending physician's opinion the newborn meets the criteria for medical stability in the Guidelines for Perinatal Care prepared by the American Academy of Pediatrics and the American College of Obstetricians and Gynecologists that determine the appropriate length of stay based upon evaluation of:

(A) the antepartum, intrapartum, and postpartum course of the mother and infant;

(B) the gestational stage, birth weight, and clinical condition of the infant;

(C) the demonstrated ability of the mother to care for the infant after discharge; and

(D) the availability of postdischarge follow-up to verify the condition of the infant after discharge; and

(2) the policy or contract authorizes for the mother and the newborn one (1) at-home postdelivery care visit described in subsection (b).

(b) The at-home postdelivery care visit shall be conducted not later than forty-eight (48) hours following the discharge of the woman and her newborn child from a licensed hospital. However, at the mother's discretion, the visit may occur at the facility of the provider subject to the terms of the policy or group contract.

(c) The provider of the policy or group contract described in this chapter shall provide notice to each enrollee under the policy or group contract regarding the coverage provided under this chapter.

As added by P.L.194-1996, SEC.1. Amended by P.L.2-1997, SEC.66.